

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAVANDER YAHTIN,

Defendant.

No. 1:21-CR-02003-SMJ-1

ORDER FOLLOWING INITIAL
APPEARANCE AND
ARRAIGNMENT AND SETTING
DETENTION HEARING

****USMS ACTION REQUIRED****

On Tuesday, January 19, 2021, Defendant made an initial appearance and was arraigned based on the Indictment (ECF No. 1). With his consent, Defendant appeared by video from Yakima County Jail and was represented by Ulvar Klein. Assistant United States Attorney Matthew Stone represented the United States.

Defendant was advised of, and acknowledged Defendant's rights.

Defendant pled not guilty.

A member of the Criminal Justice Act Panel was appointed to represent Defendant.

ORDER FOLLOWING INITIAL APPEARANCE AND ARRAIGNMENT AND
SETTING DETENTION HEARING - 1

1 The Court directs the parties to review the Local Criminal Rules governing
2 discovery and other issues in this case. [http://www.waed.uscourts.gov/court-](http://www.waed.uscourts.gov/court-info/local-rules-and-orders/general-orders)
3 [info/local-rules-and-orders/general-orders](http://www.waed.uscourts.gov/court-info/local-rules-and-orders/general-orders).

4 Under federal law, including Rule 5(f) of the Federal Rules of Criminal
5 Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable decisions
6 interpreting *Brady*, the United States has a continuing obligation to produce all
7 information or evidence known to the United States that is relevant to the guilt or
8 punishment of a defendant, including, but not limited to, exculpatory evidence.

9 Accordingly, the Court Orders the United States to produce to Defendant in
10 a timely manner all information or evidence known to the United States that is
11 either: (1) relevant to Defendant's guilt or punishment; or (2) favorable to
12 Defendant on the issue of guilt or punishment.

13 This Order is entered under Rule 5(f) and does not relieve any party in this
14 matter of any other discovery obligation. The consequences for violating either
15 this Order or the United States' obligations under *Brady* include, but are not
16 limited to, the following: contempt, sanction, referral to a disciplinary authority,
17 adverse jury instruction, exclusion of evidence, and dismissal of charges.

18 A detention hearing was set before **Judge Dimke by video in Yakima,**
19 **Washington, on Friday, January 22, 2021, at 10:00 AM.** Pending the hearing,
20 Defendant shall be detained in the custody of the United States Marshal and

ORDER FOLLOWING INITIAL APPEARANCE AND ARRAIGNMENT AND
SETTING DETENTION HEARING - 2

1 produced for the hearing. The United States Probation/Pretrial Services Office
2 shall prepare a supplemental pretrial services report prior to the hearing and shall
3 notify defense counsel prior to interviewing Defendant.

4 DATED January 19, 2021

5 s/Mary K. Dimke
6 MARY K. DIMKE
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20